

**REMARKS**

Applicants have carefully reviewed this application in light of the Office Action mailed August 3, 2006. Applicants have amended Claims 33-36 and 40, canceled Claim 32, and added new Claim 41. Applicants appreciate the Examiner's consideration of the Application and respectfully request favorable action in this case.

***Claim Rejections -- 35 U.S.C. § 102***

The Examiner rejected Claims 2, 7, 9, 14, and 38-39 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,141,597 issued to Botzko et al. ("*Botzko*").

**Independent Claim 38 and Dependent Claims 2-7 and 41**

Independent Claim 38 recites:

An apparatus for using a plurality of processors to support a media conference, comprising:

a mixing processor operable to mix input media information associated with two or more first participants to generate output media information for communication to a second participant; and

a first media transformation processor coupled to the mixing processor, the first media transformation processor operable to receive the output media information from the mixing processor, to encode the output media information to generate an output data stream, and to communicate the output data stream to the second participant's end-user device,

wherein the mixing processor and the first media transformation processor are separate hardware components.

*Botzko* does not disclose, teach, or suggest a "mixing processor" and a "first media transformation processor" that "are separate hardware components," as recited in Claim 38. *Botzko* describes an audio processor 14'c which includes a mixer 28 to produce an uncompressed composite audio signal and a time compression encoder 29 to produce a corresponding compressed composite audio signal. Col. 6, l. 46 - col. 7, l. 11. *Botzko* does not state that mixer 28 and encoder 29 are separate hardware components. Rather, *Botzko* describes them as blocks within a single audio processor 14'c. Moreover, audio processor 14'c is a part of bridge 12, which *Botzko* states "operates primarily in software." Col. 4, ll. 14-15. Thus, the block diagrams of Figures 2 and 3 illustrate functional blocks implemented in software—not separate hardware components.

The Examiner appears to agree with Applicants' position. In analyzing Claims 5, 6, 12, 13, 35, and 36, the Examiner acknowledges that *Botzko* "fails to disclose the mixing processor and the first media processor are separate digital signal processors (DSPs)/integrated circuits." (Office Action mailed 08/03/2006, at pp. 6, 14.)

For at least these reasons, *Botzko* does not disclose, teach, or suggest "the mixing processor and the first media transformation processor are separate hardware components," as recited in Claim 38. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 38, as well as Claims 2-7 and 41 which depend from Claim 38.

Independent Claim 39 and Dependent Claims 9-14

Independent Claim 39 recites:

A method for using a plurality of processors to support a media conference, comprising:

mixing input media information associated with two or more first participants to generate output media information for communication to a second participant using a mixing processor;

communicating the output media information from the mixing processor to a first media transformation processor, wherein the mixing processor and the first media transformation processor are separate hardware components;

encoding the output media information to generate an output data stream using the first media transformation processor; and

communicating the output data stream from the first media transformation processor to the second participant's end-user device.

*Botzko* does not disclose, teach, or suggest the use of a "mixing processor" and a "first media transformation processor" that are "separate hardware components," as recited in Claim 39. Claim 39 recites the steps "mixing input media information associated with two or more first participants to generate output media information for communication to a second participant using a mixing processor," "communicating the output media information from the mixing processor to a first media transformation processor, wherein the mixing processor and first media transformation processor are separate hardware components," and "encoding

the output media information to generate an output data stream using the first media transformation processor.” *Botzko* describes an audio processor 14’c which includes a mixer 28 to produce an uncompressed composite audio signal and a time compression encoder 29 to produce a corresponding compressed composite audio signal. Col. 6, l. 46 - col. 7, l. 11. *Botzko* does not state that mixer 28 and encoder 29 are separate hardware components. Rather, *Botzko* describes them as blocks within a single audio processor 14’c. Moreover, audio processor 14’c is a part of bridge 12, which *Botzko* states “operates primarily in software.” Col. 4, ll. 14-15. Thus, the block diagrams of Figures 2 and 3 illustrate functional blocks implemented in software—not separate hardware components.

The Examiner appears to agree with Applicants’ position. In analyzing Claims 5, 6, 12, 13, 35, and 36, the Examiner acknowledges that *Botzko* “fails to disclose the mixing processor and the first media processor are separate digital signal processors (DSPs)/integrated circuits.” (Office Action mailed 08/03/2006, at pp. 6, 14.)

For at least these reasons, *Botzko* does not disclose, teach, or suggest “the mixing processor and the first media transformation processor are separate hardware components,” as recited in Claim 39. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 39, as well as Claims 9-14 which depend from Claim 39.

### ***Claim Rejections -- 35 U.S.C. § 103***

#### **Dependent Claims 3-4 and 10-11**

The Examiner rejected Claims 3-4 and 10-11 under 35 U.S.C. § 103 as being unpatentable over *Botzko* in view of U.S. Patent No. 5,793,415 issued to Gregory, III et al. (“*Gregory*”). As discussed above, *Botzko* fails to disclose the mixing processor and first media transformation processor of independent Claims 38 and 39, and thus, Claims 3-4 and 10-11, which depend from independent Claims 38 and 39, are allowable for at least the reasons discussed above.

#### **Dependent Claims 5-6 and 12-13**

The Examiner rejected Claims 5-6 and 12-13 under 35 U.S.C. § 103 as being unpatentable over *Botzko* in view of U.S. Patent No. 5,584,763 issued to Leondires et al. (“*Leondires*”). According to the Examiner, *Leondires* “discloses an audio-video conferencing where the encoder and the mixer are separate DSPs/Integrated Circuits.” (p. 9).

The portion of the specification cited by the Examiner describes audio decoding digital signal processors (ADPs) and audio encoding digital signal processors (AEPs). The ADPs decode audio information. (Col. 14, ll. 33-43). The AEPs mix and encode audio information: “The AEPs read the decoded audio signals from DSs time slots, mix the decoded audio signals from each of the conferees and encode the results of the mixing according to the particular G-series standard.” (Col. 14, ll. 51-54). Thus, *Leondires* does not disclose, teach, or suggest using separate processors for mixing and encoding, and *Leondires* expressly teaches away from Applicants’ claimed invention.

In contrast to the AEPs of *Leondires*, Claims 38 and 39 require two separate processors for mixing and encoding. Claim 38 requires: (1) “a mixing processor operable to mix input media information” and (2) “first media transformation processor operable to receive the output media information from the mixing processor, to encode the output media information to generate an output data stream, and to communicate the output data stream to the second participant’s end-user device.” Similarly, Claim 39 distinguishes between a mixing processor for mixing and a media transformation processor for encoding. Claim 39 requires the following steps: “mixing input media information associated with two or more first participants to generate output media information for communication to a second participant,” “communicating the output media information from a mixing processor to a first media transformation processor,” and “encoding the output media information to generate an output data stream.”

For the reasons discussed above with respect to independent Claims 38 and 39, as well as these additional reasons, *Botzko* and *Leondires* do not disclose Applicants’ claimed invention recited in dependent Claims 5, 6, 12, and 13. Accordingly, Applicants respectfully request reconsideration and allowance of dependent Claims 5, 6, 12, and 13.

#### Independent Claims 40 and Dependent Claims 33-37

The Examiner rejected Claims 32-33, 37, and 40 under 35 U.S.C. § 103 as being unpatentable over *Botzko* in view of U.S. Patent No. 5,020,098 issued to Celli (“*Celli*”).

Independent Claim 40, as amended, recites:

A system for using a plurality of processors to support a media conference, comprising:

a plurality of end-user devices coupled to a data network and operable to generate input media information, to

encode the input media information to generate input data streams, and to communicate the input data streams using the data network; and

a conferencing device coupled to the data network, the conferencing device comprising:

a mixing processor operable to mix input media information associated with two or more first participants to generate output media information for communication to a second participant; and

a first media transformation processor coupled to the mixing processor, the first media transformation processor operable to receive the output media information from the mixing processor, to encode the output media information to generate an output data stream, and to communicate the output data stream to the second participant's end-user device.

wherein the mixing processor and the first media transformation processor are separate hardware components.

*Botzko* and *Celli* do not disclose, teach, or suggest a "mixing processor" and a "first media transformation processor" that "are separate hardware components," as recited in Claim 40. The Examiner contends that *Botzko* discloses a "mixing processor" and a "first media transformation processor" that "are separate hardware components." *Botzko* describes an audio processor 14'c which includes a mixer 28 to produce an uncompressed composite audio signal and a time compression encoder 29 to produce a corresponding compressed composite audio signal. Col. 6, l. 46 - col. 7, l. 11. *Botzko* does not state that mixer 28 and encoder 29 are separate hardware components. Rather, *Botzko* describes them as blocks within a single audio processor 14'c. Moreover, audio processor 14'c is a part of bridge 12, which *Botzko* states "operates primarily in software." Col. 4, ll. 14-15. Thus, the block diagrams of Figures 2 and 3 illustrate functional blocks implemented in software—not separate hardware components.

The Examiner appears to agree with Applicants' position. In analyzing Claims 5, 6, 12, 13, 35, and 36, the Examiner acknowledges that *Botzko* "fails to disclose the mixing processor and the first media processor are separate digital signal processors (DSPs)/integrated circuits." (Office Action mailed 08/03/2006, at pp. 6, 14.)

For at least these reasons, *Botzko* and *Celli* do not disclose, teach, or suggest the "mixing processor" and "first media transformation processor," "wherein the mixing processor and the first media transformation processor are separate hardware components," as

recited in Claim 40. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 40, as well as Claims 33-37 which depend from Claim 40.

Dependent Claims 34-36

The Examiner also rejected Claims 34-36 under 35 U.S.C. § 103 as being unpatentable over *Botzko* in view of *Celli*, and in further view of *Leondires*.

As discussed above, *Botzko* and *Celli* fail to disclose the mixing processor and first media transformation processor of independent Claim 40, and thus, Claims 34-36, which depend from independent Claim 40, are allowable for at least the reasons discussed above.

Moreover, *Leondires* fails to disclose the additional limitations of dependent Claims 35-36. According to the Examiner, *Leondires* “discloses an audio-video conferencing where the encoder and the mixer are separate DSPs/Integrated Circuits.” (p. 14). The portion of the specification cited by the Examiner describes audio decoding digital signal processors (ADPs) and audio encoding digital signal processors (AEPs). The ADPs decode audio information. (Col. 14, ll. 33-43). The AEPs mix and encode audio information: “The AEPs read the decoded audio signals from DSs time slots, mix the decoded audio signals from each of the conferees and encode the results of the mixing according to the particular G-series standard.” (Col. 14, ll. 51-54). Thus, *Leondires* does not disclose, teach, or suggest using separate processors for mixing and encoding, and *Leondires* expressly teaches away from Applicants’ claimed invention. In contrast to the AEPs of *Leondires*, Claim 40 require two separate processors for mixing and encoding. Claim 40 requires: (1) “a mixing processor operable to mix input media information” and (2) “first media transformation processor operable to receive the output media information from the mixing processor, to encode the output media information to generate an output data stream, and to communicate the output data stream to the second participant’s end-user device.” For the reasons discussed above with respect to independent Claim 40, as well as these additional reasons, *Botzko* and *Leondires* do not disclose Applicants’ claimed invention recited in dependent Claims 35 and 36. Accordingly, Applicants respectfully request reconsideration and allowance of dependent Claims 35 and 36.

New Claim 41

New Claims 41 depends from Independent Claims 38-40 and thus are allowable for at least the reasons discussed above with respect to Independent Claims 38-40.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of pending Claims 2-7, 9-14, and 33-41. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Applicants believe no fees are due. However, the Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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